

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

JUSTIN A. EDMONDS,

Plaintiff,

vs.

KILOLO KIJAKAZI, Commissioner  
of Social Security Administration,

Defendant.

CV 23-47-GF-JTJ

**ORDER**

Plaintiff Justin A. Edmonds (Edmonds) has moved for an award of attorney's fees in the amount of \$7,191.83 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). The Commissioner of the Social Security Administration (Commissioner) does not oppose the motion.

The Court has reviewed Edmond's application. The requested attorney fee award represents 29.40 attorney hours at a fee rate of \$244.62 per hour. (Doc. 19 at 5-6). The Court finds that the application is proper and that the amount requested is reasonable.

Fee awards under EAJA are subject to an offset to satisfy any debt that the plaintiff owes the government. *Astrue v. Ratliff*, 560 U.S. 586, 593-94 (2010). If the plaintiff has no debt that qualifies as an offset under the Treasury Offset Program, the plaintiff may assign his or her right to receive the fee award to his or

her attorney. *Id.* at 597-98; *Webster v. Berryhill*, 2018 WL 4290395, \*2 (D. Mont. Sept. 7, 2018).

Accordingly, IT IS HEREBY ORDERED:

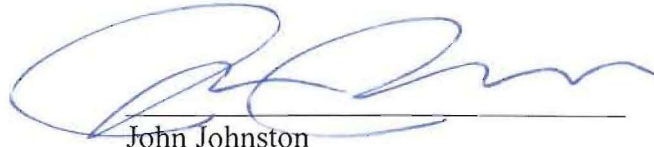
1. Edmonds's Application for an Award of EAJA Fees (Doc. 19) is GRANTED. Edmonds is entitled to an award of attorney's fees under 28 U.S.C. § 2412 in the amount of \$7,191.83, less any offset allowed under the Treasury Offset Program.

2. If, after receiving this Order, the Commissioner determines that Edmonds owes a debt that qualifies as an offset under the Treasury Offset Program, the Commissioner should issue a check made payable to Cole in the amount of \$7,191.83 less the amount of the offset. Edmonds's award check should be mailed to Edmonds's attorney, John E. Seidlitz, Jr., at the following address:

Seidlitz Law Office  
P.O. Box 1581  
Great Falls, MT 59403-1581

3. If the Commissioner determines that Edmonds has no outstanding debt that qualifies as an offset under the Treasury Offset Program, and that Edmonds has assigned his right to the EAJA fee award to his attorney, the Commissioner should make the check payable to John E. Seidlitz, Jr.

DATED this 15th day of April, 2024.

A handwritten signature in blue ink, appearing to read "John Johnston", is written over a horizontal line.

John Johnston  
United States Magistrate Judge